REPORT BY THE

AUDITOR GENERAL

OF CALIFORNIA

THE OFFICE OF STATE REGISTRAR PROMPTLY AND ACCURATELY RESPONDS TO MOST REQUESTS REGARDING THE STATE'S VITAL RECORDS AND STORES THE RECORDS PROPERLY

REPORT BY THE OFFICE OF THE AUDITOR GENERAL

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STATE OF CALIFORNIA

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P-748

Honorable Bruce Bronzan, Chairman Members, Joint Legislative Audit Committee State Capitol, Room 448 Sacramento, California 95814

Dear Mr. Chairman and Members:

The Office of the Auditor General presents its report concerning the Department of Health Services' Office of State Registrar. The report shows that the Office of State Registrar appropriately maintains the State's vital records in an accessible form. Furthermore, the Office of State Registrar generally stores vital records properly.

Respectfully submitted,

THOMAS W. WATES Auditor General

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SUMMARY

RESULTS IN BRIEF

The Office of State Registrar (OSR) of the Department of Health Services maintains the State's birth, death, and marriage certificates in an accessible form and responds promptly and complete requests for accurately to most certified copies of certificates and changes to However, the OSR does not have certificates. indexes for marriage certificates registered after March 1986 and, as a result, may not always be able to answer requests for copies of these documents. However, all marriage certificates are available from the counties in which the marriages occurred.

Also, the State's vital records are stored and preserved appropriately. However, back-up copies of birth, death, and marriage microfilm processed after 1983 are not certificates stored at the State's microfilm archive vault, which is in a different location from the OSR's office. of Sacramento Storage microfilm copies at the microfilm archive vault ensures that vital records are preserved in case the original vital records are damaged or destroyed during a catastrophic accident.

BACKGROUND

OSR responsible for registering, is indexing, and storing more than 35 million of California's vital records--birth, fetal death, death, and marriage certificates and judgements of marriage dissolution--collected since 1905. OSR is also responsible for providing The of certified copies vital records responding to requests for changes to vital Further, the OSR is responsible for records. developing all forms, standards, for the registration of vital instructions events and for advising and instructing local

registrars. In 1987, the OSR received from the counties more than one million vital records, which are mostly processed using a manual system. The original records are stored at the OSR and at the State Records Center of the Department of General Services. Back-up microfilm copies of the records are stored at the OSR and at the microfilm archive vault of the Department of General Services.

PRINCIPAL FINDINGS

The OSR Responds Promptly and Accurately to Most Requests Regarding Vital Records

For a random sample of 116 requests for certified copies of certificates or changes to certificates, the OSR accurately answered all complete requests for certified copies of certificates or changes to certificates in an average of 19 calendar days. The OSR has a goal of processing requests within 42 calendar days.

The OSR Has Not Indexed All Marriage Certificates

The OSR has no marriage certificate indexes for those marriages that were registered after Indexes simplify the task of ficates. Without the indexes, March 1986. locating certificates. the OSR may not always be able to answer requests for certified copies of certificates. However, requests for certified copies of marriage certificates in fiscal year 1987-1988 made up less than 4 percent of all requests for certificates. Furthermore, all marriage certificates are available from the which the marriages occurred. counties in Moreover, through the use of staff overtime, the OSR has assembled all unindexed marriage certificates through December 1987 in a form that allows the OSR to respond to requests when the requesters provide complete information. The chief of the Health Data and Statistics Branch stated that he plans to continue to use staff overtime to make all of these records available to requesters.

The OSR Generally Stores Vital Records Properly

More than 35 million records are stored in the OSR's Sacramento office, the State Records Center in West Sacramento, and the microfilm archive vault in Tahoe City. We conducted visual inspections of records and storage spaces at the OSR and the State Records Center and did not find any evidence of environmental or animal damage. Furthermore, the State Records Center, which houses the bulk of the records, has appropriate controls to reduce the chances of environmental and animal damage.

However, back-up microfilm copies of birth, marriage certificates processed death. and 1983 are not stored in the State's after microfilm archive vault. Storage of back-up microfilm copies at the microfilm archive vault ensures that vital records are preserved in case the original vital records are damaged or destroyed during a catastrophic accident. The chief of the Health Data and Statistics Branch stated that he is correcting the problem and should have back-up microfilm copies of all the State's vital records at the archive vault within six months.

RECOMMENDATIONS

To meet statutory requirements and improve accessibility to marriage certificates, the Office of State Registrar should continue its efforts to complete the indexing of all outstanding records.

In addition, to ensure that the State's vital records are preserved in the event of a catastrophic accident, the OSR should ensure

that all back-up microfilm copies of the State's vital records are promptly stored in the microfilm archive vault of the Department of General Services.

AGENCY COMMENTS

The Department of Health Services agrees with the findings of our report and is taking steps to implement our recommendations.

INTRODUCTION

The first complete registration of births and deaths in California was provided for in 1905 when the Legislature established the Bureau of Vital Statistics. Since 1905, the State has registered all births, deaths, fetal deaths, marriages, and judgements of marriage dissolution. The records of these events are known collectively as "vital records." The Department of Health Services is responsible for the enforcement of statutes regarding vital records. The Office of State Registrar (OSR), within the Health Data and Statistics Branch of the Department of Health Services, is the organization responsible for all vital records. The 1988-89 Governor's Budget shows that the proposed budget of the Health Data and Statistics Branch totals \$11 million.

Section 10000 of the Health and Safety Code requires that every birth, fetal death, death, and marriage that occurs in the State be registered with the OSR. The same section requires that every judgement of marriage dissolution, legal separation, or nullity decree also be filed with the OSR. The OSR, according to Section 10035 of the Health and Safety Code, is responsible for maintaining a permanent public record of every vital event--birth, death, and marriage--that has occurred in California since 1905, for preparing and maintaining continuous and comprehensive indexes of all vital records to ensure the accessibility of the records, and for storing the vital records. Under Section 10575, the OSR and local registrars or county recorders should

provide certified copies of vital records upon a request and payment of fees. The OSR is also responsible for developing all forms, standards, and instructions for the registration of vital events and for advising and instructing local registrars.

The initial responsibility for the registration of vital events rests with certain county officials. Local health officers are generally designated as the local registrars for births and deaths and bear the responsibility for ensuring that certificates are complete and requirements. meet statutory Coroners also have statutory responsibilities for the preparation of certain death certificates. County clerks are generally responsible for the initiation of marriage certificates by preparing the marriage license, which--when completed by the individual performing the marriage ceremony--becomes the marriage certificate. County recorders are responsible for ensuring that the marriage certificates meet standards before they are sent to the OSR. The OSR conducts annual meetings for county officials to instruct these individuals on vital record standards and also conducts annual on-site quality control reviews at the counties to ensure that standards are enforced.

In 1987, the OSR received from the counties more than one million vital records, which are mostly processed using a manual system. When the OSR receives the records, the OSR's staff members review them for accuracy and completeness. For example, staff members

review death certificates to ensure that information regarding the cause of death is sufficiently detailed. In addition, staff members check the certificates for compliance with statutory requirements and reject those that do not comply. For example, before January 1988, the law required that all certificates be completed in black ink. As a result, the OSR returned certain marriage certificates to county recorders when the individual performing the marriage ceremony completed the certificate in a color of ink that was not black and that did not microfilm properly. The law changed in January 1988, allowing the OSR to accept any marriage certificates provided that the certificates were legible and reproducible.

Once the OSR has accepted the document, staff members code the data so that this information can be entered into a computer system and used for two purposes: first, to prepare comprehensive indexes for retrieving the certificates and, second, to store the information so that it can be retrieved for statistical purposes. After staff members code the data, they microfilm the certificates. The original certificates are stored at the OSR and the State Records Center of the Department of General Services. Microfilm of the certificates is stored at the OSR and the microfilm archive vault of the Department of General Services.

In addition to processing certificates, the OSR answers requests to change certificates and to provide certified copies of certificates. To change a registered certificate requires either an affidavit or a court order because once a certificate is registered it becomes a legal document. Individuals can change certificates when they discover errors in a certificate, when cause of death information is updated, or when a court orders a change, for example, a name change or a change because of an adoption.

Requesters use certified copies of certificates to prove age, obtain passports, qualify for pension benefits, secure insurance payments, conduct genealogical or health research, and to complete many Government agencies, such as the Employment Development other tasks. Department and the Department of Motor Vehicles, also use the OSR's Furthermore, the State also uses data from the vital records to complete a variety of statistical reports. For example, each year, the Department of Health Services issues health reports on issues such as occupational mortality and special topics such as AIDS. Many private organizations also the records. For example, research use institutions, private corporations, and the news media have all requested data from the OSR. Finally, the National Center for Health Statistics receives all of California's birth, death, and marriage data, which the center uses in nationwide studies.

To improve the accessibility of the State's vital records and to automate the OSR's mostly manual system, Chapter 1072, Statutes of 1986, requires that, commencing January 1, 1987, the OSR and local additional \$2 fee for all requests for registrars collect an certificates to fund the Vital Record Improvement Project (project). According to the 1988-89 Governor's Budget, the OSR will have collected an estimated \$9.4 million for the project fund by the end of fiscal The purpose of the project is to automate the State's vear 1988-89. system for storing and retrieving the more than manual 35 million records currently maintained by the OSR and for processing all new vital records.

SCOPE AND METHODOLOGY

The purpose of this review was to determine whether the OSR's records are accessible and whether the OSR stores the physical records appropriately. Our purpose was also to determine whether the OSR answers requests for certified copies of certificates or changes to certificates promptly and accurately.

To determine whether the OSR's records are accessible and to determine whether the OSR promptly and accurately answered requests for certificates or changes to certificates, we selected and analyzed a random sample of 124 requests out of 6,369 requests received by the OSR in the last two weeks of January 1988. As of June 1988, 116 of the 124 requests in our sample had been processed. The remaining 8 requests

either were incomplete or were not accompanied by sufficient fees, and consequently, the OSR could not complete the requests. We restricted our review to those requests that the OSR had been able to complete as of June 1988. We reviewed whether the OSR was able to find the record requested, whether the OSR collected the correct amount of fees, and whether the OSR answered the request promptly. We also determined whether the OSR found the correct certificate and sent it to the address on the request. For those requests that contained insufficient information to complete the requests or insufficient fees when received by the OSR, we determined whether the OSR recognized the deficiency and requested the needed information or fees. In addition, we conducted manual tests of the OSR's system for retrieving certificates to determine whether records are easily accessible.

To evaluate the OSR whether stores vital appropriately, we visually inspected both original records and microfilm copies at the OSR and at the State Records Center of the Department of General Services. At the OSR, we examined the original records to ascertain whether the records were adequately protected from environmental and animal damage. At the State Records Center, which houses the bulk of the records, we examined a sample of stored certificates to determine whether the records had been adequately protected from environmental and animal damage. At the State Records Center, we also reviewed the controls for the prevention of environmental and animal damage and visually inspected the facility.

We also reviewed the OSR's system for ensuring that the vital records received from the counties are accurate and determined that the OSR appears to have sufficient controls to ensure accurate records. Lastly, we attempted to review the Department of Health Services' progress in implementing the Vital Record Improvement Project. However, the project's feasibility study report was not ready for our review by the end of our fieldwork.

AUDIT RESULTS

THE OFFICE OF STATE REGISTRAR PROMPTLY AND ACCURATELY RESPONDS TO MOST REQUESTS REGARDING THE STATE'S VITAL RECORDS AND STORES THE RECORDS PROPERLY

The Office of State Registrar (OSR) maintains the State's vital records in an accessible form and responds promptly and accurately to most complete requests for certified copies of certificates or changes to certificates. For our random sample, the OSR accurately answered all complete requests for certified copies of certificates or changes to certificates in an average of 19 calendar days. However, the OSR has no marriage certificate indexes for those marriages that were registered after March 1986. As a result, the OSR may not always be able to answer requests for certified copies of these certificates. However, requests for certified copies of marriage certificates up less than 4 percent of all requests for make certificates. Furthermore, all marriage certificates are available from the counties in which the marriages occurred.

Also, the State's vital records are generally stored and preserved appropriately. However, back-up microfilm copies of birth, death, and marriage certificates processed after 1983 are not stored at the State's microfilm archive vault, which is in a different location from the OSR's Sacramento office. Storage of back-up microfilm copies at the microfilm archive vault ensures that vital

records are preserved in case the original vital records are damaged or destroyed during a catastrophic accident.

The OSR Responds Promptly and Accurately to Most Requests Regarding Vital Records

Section 10035 of the Health and Safety Code requires that the OSR arrange and permanently preserve all certificates in a systematic order. Section 10575 requires that the OSR respond to requests for certified copies of certificates. The OSR has set a service goal of answering all requests within an average of 42 calendar days.

The OSR appropriately maintains the records in an accessible form to respond promptly and accurately to requests for certified copies of birth and death certificates and marriage certificates registered before January 1988. Of the sample of 116 requests that were completed as of June 1988, the OSR accurately answered all the requests in an average of 19 calendar days. Table 1 presents the results of our evaluation of the OSR's promptness in answering requests for certified copies of certificates and changes to certificates. The table shows the total number of requests for each category of request in our sample, the average number of calendar days to complete a request in each category, and the range of time to complete a request in each category.

TABLE 1

TIME TAKEN BY THE OFFICE OF STATE REGISTRAR
TO RESPOND TO REQUESTS FOR CERTIFIED COPIES
OF RECORDS AND CHANGES TO RECORDS
IN OUR RANDOM SAMPLE

Type of Request	Number of Records in Sample	Average Number of Days <u>To Complete</u>	Processing Time Range <u>in Days</u>
Birth Certificates	77	10	0-100*
Death Certificates	13	26	7-46
Marriage Certificates	1	28	28
Action To Change Birth Certificates	23	45	3-128
Action To Change Death Certificates	2	24	22-25
Action To Change Marriage Certificates	0	NA	NA
Total of All Records	<u>116</u>	19	0-128*

^{*} The calculation of zero days to respond identifies those requests that were answered on the same day that they were received.

As the table shows, the average processing time for requests for certified copies of birth, death, and marriage certificates is well within the OSR's processing goal of 42 calendar days. However, the range for the processing of birth certificates is zero to 100 days. This range for birth certificates has different causes. At the low end of the range, the OSR was able to process 40 of the 77 requests for birth certificates in zero to 12 days by the use of "computer"

abstracts" of the certificates. Computer abstracts are certified summaries of birth information that are generated by a computer and that can be used for almost all purposes requiring certified copies of birth certificates. At the high end of the range, 3 of the 77 requests took longer than 42 days to process. For example, the request that required 100 days to process resulted from the requester sending insufficient fees to complete the request. The requester sent in \$7 less than the required fee, and the OSR notified the requester by mail of the lack of sufficient fees. The OSR completed the request when it received the correct fees. In addition, one death certificate request required 46 calendar days to process; however, the requester asked the OSR to search the time period from 1947 to 1977 for the record of death, which requires more time to search than when the exact date of an event is known.

Furthermore, as the table shows, processing requests for changes to birth certificates can take more time to process than the service goal of 42 calendar days. Eleven requests for changes required more than 42 days to process. However, for many of these requests, the requester did not supply sufficient or appropriate information to complete the request or did not supply the correct fee. For example, in a request that required 128 calendar days to process, the requester did not submit an affidavit to change a name on a birth certificate. The OSR requested an affidavit, and when it was submitted, the OSR completed the change. In another instance, a request that required 77

days to process, the requester failed to send the correct fees for a change to her daughter's birth certificate. The OSR requested the correct fees, and when the correct fees were received, the OSR made the change.

The OSR Has Not Indexed All Marriage Records

Section 10035 of the Health and Safety Code requires that the OSR arrange and permanently preserve all certificates in a systematic order and prepare and maintain a continuous and comprehensive index of all certificates registered. Indexes of the vital records are created using the data from the certificates that have been entered into a computer during the initial processing of the records. Unlike the manual system for processing certificates, the indexes are computer generated and sort certificate information based on the name of the registrant, date of the event, and county in which the event occurred. Using the indexes, staff members can easily search for certificates for requests with complete information and many times find certificates when request information, such as the location of the event or the exact date of the event, is lacking. The OSR's indexes are generated by the Data Systems Branch of the Department of Health Services.

However, the OSR has no marriage certificate indexes for those marriages that were registered after March 1986. As a result, the OSR may not always be able to answer requests for certified copies of these

certificates. According to the chief of the Health Data and Statistics Branch, the OSR stopped processing and indexing marriage certificates because of staff reductions in fiscal year 1982-83. For fiscal year units in the department were required to reduce their 1982-83, The OSR, to meet its budget goal, eliminated the staff budgets. positions responsible for processing marriage certificates, in addition to the funds for staff to create the appropriate indexes. the department prepared legislation that would have 1982, eliminated the statutory requirements that the OSR process these records and maintain indexes. The legislation was never introduced. Nevertheless, even though the OSR still has responsibility for the processing of marriage certificates, the OSR's funding and positions for processing were not reinstated.

Since 1985, the OSR has been processing marriage certificates using staff overtime. More than 7,000 hours of overtime have been used to alleviate the backlog of marriage certificates. As a result, the indexes for marriage certificates are complete through March 1986. Moreover, for marriage certificates through December 1987, the OSR has used staff overtime to arrange marriage certificates alphabetically by month and county. As a result, when a request is received that contains the names of the registrants, the date of the marriage, and the county in which the marriage took place, staff can conduct a "hand search" for the record and prepare a certified copy.

However, the OSR has not put in order more than 60,000 marriage certificates received from January 1988 through June 1988. Furthermore, the Data Systems Branch has not completed up-to-date indexes for marriage certificates because the completion of the indexes is one of its and the OSR's lowest priorities. As a result, staff at the Data Systems Branch could not estimate the date for the completion of these indexes. Consequently, indexing will not be complete until additional resources are added or the priority for indexing is changed.

As a result of not indexing all marriage certificates, the OSR is not meeting the statutory requirement of permanently preserving all certificates in a systematic order and may be unable to answer all requests for certified copies of these certificates. However, in 1987-88, requests for certified copies of marriage fiscal vear certificates made up less than 4 percent of all requests for Furthermore, all marriage certificates are available certificates. from the counties in which the marriages occurred. The chief of the Health Data and Statistics Branch stated that he plans to continue to use staff overtime to arrange marriage certificates received in 1988 so that these records are available to requesters.

The OSR Generally Stores Vital Records Properly

The State's vital records are generally stored and preserved appropriately. However, back-up microfilm copies of vital records processed since 1983 are not stored at the State's microfilm archive vault.

The Health and Safety Code, Section 10035, requires that the OSR permanently preserve all registered certificates. To meet this statutory responsibility, the OSR maintains the original certificates all registered births, deaths, and marriages since 1905. More than 35 million records are stored in three locations. The OSR stores the last 20 years of birth certificates and 2 years of death and marriage certificates, along with microfilm copies of every record, at its Sacramento office. The remainder of the original certificates is stored at the State Records Center of the Department of General Services in the City of West Sacramento. Finally, microfilm copies of every birth certificate registered from 1905 through 1983, every death certificate from 1905 through 1982, and every marriage certificate from 1905 through 1981 are stored at the Department of General Services' microfilm archive vault located at the Federal Savings Building in Tahoe City.

We conducted visual inspections of the storage of records at both the OSR and at the State Records Center to determine whether the stored records were damaged in any way, such as from moisture leakage or rodent infestation. At the OSR, we reviewed various records as part of this inspection and as part of our review of the accessibility of the OSR's records. We also examined stored certificates from 1908, 1911, 1926, 1946, 1951, and 1952 at the State Records Center. We found no evidence of environmental or animal damage at either location. Furthermore, the State Records Center has appropriate controls, such as temperature controls and pest control contracts, to reduce the chances of environmental and animal damage to stored records.

The microfilm stored at Tahoe City is stored at this location to ensure that back-up copies of all of the State's vital records are preserved in the event of a catastrophic accident in the Sacramento area that might destroy or damage the original copies of the records. We determined that microfilm copies of all of the OSR's birth, death, and marriage certificates through 1981 are stored in the Tahoe City vault. However, microfilm copies of births registered after 1983, deaths registered after 1982, and marriages registered after 1981 are not stored in the vault. Further, the OSR's annual Records Retention Schedule, which identifies records stored, does not show the years of the records stored.

The chief of the Health Data and Statistics Branch was unaware of the gap in the storage of microfilm in the vault. According to the chief, during the budget reductions that occurred in 1982, the previous chief must have stopped sending microfilm copies to the vault. In addition, the format requirements for storing microfilm were revised in 1982, and to meet the new requirements, the use of additional resources is necessary to properly format the microfilm for storage. However, since many of the original certificates processed after 1983 and their microfilm copies are stored in the same location, these records would be lost with no back-up microfilm if the OSR's office were destroyed during a catastrophic accident. The chief has told us that he is correcting the problem and should have copies of all microfilm at the archive vault within six months.

CONCLUSION

The Office of State Registrar appropriately maintains the State's vital records in an accessible form and responds promptly and accurately to most complete requests for certified copies of certificates or changes to certificates. For our random sample, the OSR accurately answered complete requests in an average of 19 calendar days. However, the OSR does not have indexes for marriage certificates registered after March 1986 and, as a result, may not always be able to answer requests for certified copies of these documents. requests for certified copies However. of marriage certificates make up less than 4 percent of all requests for certificates. Furthermore, all marriage certificates are available from the counties in which the marriages occurred. Also, the State's vital records are generally stored and preserved in an appropriate manner. However, back-up microfilm copies of birth, death, and marriage certificates processed after 1983 are not stored at the State's microfilm archive vault.

RECOMMENDATIONS

To meet statutory requirements and improve accessibility to marriage certificates, the Office of State Registrar should continue its efforts to complete the indexing of all outstanding records.

In addition, to ensure that the State's vital records are preserved in the event of a catastrophic accident, the OSR should ensure that all microfilm copies of the State's vital records are promptly stored in the microfilm archive vault of the Department of General Services. Further, the OSR should modify its annual Records Retention Schedule to include the years of all records stored.

We conducted this review under the authority vested in the Auditor General by Section 10500 et seq. of the California Government Code and according to generally accepted governmental auditing standards. We limited our review to those areas specified in the audit scope section of this report.

Respectfully submitted,

THOMAS W. HAYES

Auditor General

Date: November 7, 1988

Staff: Samuel D. Cochran, Audit Manager

Clifton John Curry

DEPARTMENT OF HEALTH SERVICES

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November 1, 1988

Mr. Thomas W. Hayes Auditor General 660 J Street, Suite 300 Sacramento, CA 95814

Dear Mr. Hayes:

Mr. Clifford Allenby, Secretary of the Health and Welfare Agency, has asked me to respond to your draft report entitled "The Office of State Registrar Promptly and Accurately Responds to Most Requests Regarding the State's Vital Records and Stores the Records Properly". Thank you for providing such a helpful review of this area of the Department's operations. Your Office also has our compliments on the professionalism and courtesy shown by the staff who conducted this review.

Your report correctly identifies the discrepancy between the actual amount of archival microfilm stored in the security vault at Tahoe City, and our goal that all of our records are secured by microfilm stored at that location. The Department is committed to having this security, and is adhering to the six-month schedule mentioned in your report, to accomplish this.

The draft report mentions that the 1988-89 Governor's Budget shows a total of some \$11 million for the Health Data and Statistics Branch. The portion which supports the Office of State Registrar (OSR) operations is \$4.25 million; the balance goes mainly to the Vital Records Improvement Project with the remainder supporting the other branch operations. Also, as a point of clarification, the 1988-89 Governor's Budget shows that OSR will have collected an estimated \$9.4 million for the Vital Records Improvement Project over the two-year period of the surcharge. The Project's feasibility study report is now complete, but is still within the Department's internal review.

The draft report mentions that for the most recent events, two years of death and marriage records are stored at the OSR offices. While this statement accurately reflects our records retention plan, current practice is to retain three years of these records at OSR. The OSR will modify the plan to correctly show this practice, and also to show the dates of records in archival storage at Tahoe City, as your report recommends.

Mr. Thomas W. Hayes Page 2 November 1, 1988

Thank you for this opportunity to comment on this very useful report and its findings. The Department appreciates this opportunity to improve its operations, and the helpful interest demonstrated by your audit staff.

If you have any questions, please feel free to contact Mr. William A. Avritt, Chief of the Rural and Community Health Division, at (916) 322-2078.

Sincerely,

Kenneth W. Kizer, M.D., M.P.H.

ok Director

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